

**PROCESSING PROCEDURES TO AWARD A&E SOLE SOURCE  
CONTRACTS **NOT** REQUIRING COUNCIL APPROVAL**

Follow these steps in order for a Sole Source Approval request valued from \$25,000-\$250,000 for Non-CIP Funded Contracts or from \$25,000-\$1M for CIP Funded Contracts (i.e. for A&E Consultant contracts awarding via an **e1544** or **ePA2625**):

**Note: Sole Source Contracts requiring Council Approval - Go to Page 3 of this document.**

1. Project Manager or Initiator (PM) contacts the Consultant Services Coordinator (CSC) John Mendivil in Public Works Contracts (PWC) to request a contract number be assigned to the Sole Source request and for the A&E Project Request Form.
2. PM drafts Sole Source Memo request addressed to PWC Deputy Director, Al Rechany from the PM's Deputy Director including the following:
  - a. Desired Consultant
  - b. Value
  - c. Duration
  - d. Justification/reason for Sole Source
  - e. List explanation as to why, per SDMC §22.3016, you are certifying that a sole source agreement is necessary, and that a strict compliance with a competitive process would be unavailing or would not produce an advantage, and soliciting bids or proposals would be undesirable, impractical or impossible.
3. PM sends draft Sole Source Memo request in Word format to Principal Contract Specialist, Cindy Crocker for review and approval to route for signature.
4. Once approved, PM routes Sole Source Memo request to their Deputy Director for signature.
5. Deputy Director or designee sends the signed Sole Source Memo request to Deputy Director Al Rechany to process for approval.
6. Once Sole Source is approved by Director James Nagelvoort, PWC distributes approved Sole Source Memo to the cc list.
7. PM submits the following items to CSC to obtain boiler agreement for Sole Source:
  - a. Completed A&E Project Request Form
  - b. Scope of Services
  - c. Approved HR Form
  - d. Approved Sole Source Memo
8. CSC provides PM boiler & Processing Procedures to Award Sole Source Contracts Not Requiring Council Approval.
9. PM finalizes negotiations with Sole Source consultant and adds their project specific information to the data fields of the boiler
10. PM forwards the draft Agreement in Microsoft Word format to Public Works Contracts (PWC) for review. Only the boiler obtained from PWC shall be used as no other boilers are acceptable. The consultant does not sign the agreement at this stage of the process. The draft Agreement must include:
  - a. Exhibit A – Scope of Services,

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- b. Exhibit B – Compensation Schedule, and
  - c. Exhibit C – Time Schedule
11. After PWC reviews the draft agreement, the project manager shall forward the draft to their department's Deputy City Attorney for review. Once this review process is complete, the project manager can forward four (4) PDF or hard copies of the agreement to the consultant for final signature.
12. The PM may start routing their award document (Form E-1544/E-PA2625) at this time. The PM should also update their Purchase Requisition to include the name of the selected consultant and the contract number for the project. The contract number should be typed into the "Texts" field.
13. **Note 1: Form E-PA2625 (for CIP funded contracts) or Form E-1544 (for non CIP funded contracts) are generally used. However, for non CIP funded contracts, if the selected consultant has been awarded more than \$250K in contracts or amendments in the current fiscal year (including the current award), City Council approval (via E-1472) will be required in order to award the contract. For CIP funded contracts the current fiscal year award threshold is \$1 million (including the current award) before an E-1472 is required for contract award. If your contract is partially or fully Operations & Maintenance (O&M) funded, please contact PWC for additional instructions.**
- Note 2: If you discover that an E-1472 is required to award your contract **DO NOT** continue following the remainder of the steps on this page and please **GO** to page three (3) of these processing procedures.**
14. Once the E-1544/E-PA2625 is routed up to PWC's approval and the contracts and insurance are returned, the PM will attach the four original wet signature copies of the agreement, a copy of Comptroller's Certificate and all insurance documentation to the award document and forward the package to PWC for review.
15. PWC reviews the E-1544/E-PA2625, contracts, Comptroller's Certificate, insurance and endorsements, signs the contracts, approves the action in SIRE and then forwards the package to the City Attorney's Office for final review and signature.
16. The City Attorney's Office reviews and signs the contracts, approves the action in SIRE and notifies PWC when the contract package is ready for pick up.
17. PWC issues a Notice to Proceed (NTP) and distributes the four contract copies as follows:
- a. Forwards a duplicate original contract to the Consultant along with the NTP letter
  - b. Retains the original contract and a copy of the NTP letter for the PWC file
  - c. Forwards a duplicate original contract and a copy of the NTP letter to the PM
  - d. Forwards a duplicate original to other City staff, as requested, and PWC assigns a Purchase Order (PO) number at this time.

## **PROCESSING PROCEDURES TO AWARD A&E SOLE SOURCE CONTRACTS REQUIRING COUNCIL APPROVAL**

Follow these steps in order for a Sole Source Approval request valued over \$250,000 for Non-CIP Funded Contracts or over \$1M for CIP Funded Contracts (i.e. for A&E Consultant contracts awarding via an e1472 requiring Council Resolution or Ordinance):

\*\*NEW streamlining requirement – PM must include Sole Source justification in the e1472 & Resolution/Ordinance to request authorization from Council to approve the Sole Source action.

1. The PM requests the A&E Project Request Form from the Public Works Contracts (PWC) Consultant Services Coordinator (CSC).
2. PM submits the following items to CSC to obtain boiler agreement for Sole Source:
  - a. Completed A&E Project Request Form
  - b. Scope of Services
  - c. Approved HR Form
  - d. Email Statement from PM's Deputy Director that this will be a Sole Source contract requiring Council Approval confirming the justification/reason for Sole Source and explanation as to why, per SDMC §22.3016, a sole source agreement is necessary, and that a strict compliance with a competitive process would be unavailing or would not produce an advantage, and soliciting bids or proposals would be undesirable, impractical or impossible will be included in the e1472 & Resolution/Ordinance requesting Council to approve the Sole Source action.
3. CSC provides PM contract number, boiler & Processing Procedures to Award Sole Source Contracts Requiring Council Approval.
4. PM finalizes negotiations with Sole Source consultant and adds their project specific information to the data fields of the boiler
5. PM forwards the draft Agreement in Microsoft Word format to Public Works Contracts (PWC) for review. Only the boiler obtained from PWC shall be used as no other boilers are acceptable. The consultant does not sign the agreement at this stage of the process. The draft Agreement must include:
  - a. Exhibit A – Scope of Services,
  - b. Exhibit B – Compensation Schedule, and
  - c. Exhibit C – Time Schedule
6. After PWC reviews the draft agreement, the project manager shall forward the draft to their department's Deputy City Attorney for review. Once this review process is complete, the project manager can forward four (4) PDF or hard copies of the agreement to the consultant for final signature.
7. The PM may start routing their award document (Form E-1472) at this time. The PM should also update their Purchase Requisition to include the name of the selected consultant and the contract number for the project. The contract number should be typed into the "Texts" field. \*\*NEW streamlining requirement – PM is required to include in their e1472 & Resolution/Ordinance the justification/reason for Sole Source and explanation as to why, per SDMC §22.3016, a sole source agreement is necessary, and that a strict compliance with a competitive process would be unavailing or would not produce an advantage, and soliciting bids or proposals would be undesirable, impractical or impossible

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and a request for Council to approve the Sole Source action. PWC will NOT approve the e1472 in SIRE without this justification/reason/explanation.

8. Once the E-1472 is ready for Docket (City Council Approval), the PM attaches the original contracts (4 total), a copy of Comptroller's Certificate, insurance and endorsements and forwards the package to the Docket Clerk.
9. The E-1472 goes to Council for approval and then the contracts will go to the City Clerk (if approved by Council).
10. The City Clerk should notify the PM when all four contracts are ready for pick up. Note: This document package is not automatically forwarded to PWC. After the Mayor's 10 day veto period has passed, it is the PM's responsibility to follow up with the Clerk's Office, pick up the package, and deliver it to PWC.
11. The PM returns all four contracts (plus a copy of E-1472, a copy of Comptroller's Certificate, and insurance certificates + endorsements) to PWC.
12. PWC reviews the E-1472, contracts, Comptroller's Certificate, insurance and endorsements, signs the contracts and then forwards the package to the City Attorney's Office for final review and signature.
13. The City Attorney's Office reviews and signs the contracts and notifies PWC when the contract is ready for pick up.
14. PWC issues a Notice to Proceed (NTP) and distributes the four contract copies as follows:
  - a. Forwards a duplicate original contract to the Consultant along with the NTP letter
  - b. Retains a duplicate original contract and a copy of the NTP letter for the PWC file
  - c. Forwards a duplicate original contract and a copy of the NTP letter to the PM
  - d. Forwards the original contract to the City Clerk and PWC assigns a Purchase Order (PO) number at this time.